IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	NO. 08-CR-30184-MJR-PMF
)	
REYNOL TOLEDO-SANTIAGO,)	
)	
Defendant.)	
)	
TERESA NUNEZ-TINOCO,)	
Matarial Witness 1)	

ORDER OF DETENTION

FRAZIER, Magistrate Judge:

This case was called for Initial Appearance on August 26, 2008. The above-captioned material witness, Teresa Nunez-Tinoco, was present with counsel from the Federal Public Defender's Office and orally waived a hearing on the Government's Motion for Detention (Doc. No. 5).

It is undisputed that the Teresa Nunez-Tinoco is a material witness in this case. The government has successfully shown that it is impracticable to secure her deposition if she were released because she is subject to removal from the United States.

Consistent with the dictates of 18 U.S.C. Section 3144, this Court finds that it is reasonable to detain Teresa Nunez-Tinoco for a period of 30 days for the purpose of taking her deposition.

IT IS, THEREFORE, ORDERED that the government's motion to detain **Teresa Nunez- Tinoco** for the purpose of taking her deposition is GRANTED.

IT IS FURTHER ORDERED THAT:

1. **Teresa Nunez-Tinoco** shall be COMMITTED to the custody of the

Attorney General of the United States for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;

2. **Teresa Nunez-Tinoco** shall be AFFORDED reasonable opportunity for private consultation with her attorney or any person hired by her attorney for the purpose of preparing a defense; and

3. On Order of a Court of the United States or on request of an attorney for the government, the person in charge of the corrections facility in which **Teresa Nunez-Tinoco** is confined shall DELIVER defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

IT IS FURTHER ORDERED that **Teresa Nunez-Tinoco** shall not be detained beyond **September 26, 2008,** and that on or before that date she shall be remanded to the custody of the Bureau of Immigration and Customs Enforcement for removal proceedings.

DATED: August 26, 2008.

<u>s | Philip M. Frazier</u> Hon. Philip M. Frazier United States Magistrate Judge